

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CASSIUS M. CLAY SR.,

Civil Action No. 05-125E

Plaintiff,

Vs.

District Judge McLaughlin

TRACEY REEVES, ET AL.,

Magistrate Judge Baxter

Defendants,

**MOTION FOR ENLARGEMENT OF TIME TO FILE
OBJECTIONS TO THE MAGISTRATE'S REPORT AND RECOMMENDATION**

NOW COMES the Plaintiff, CASSIUS M. CLAY SR., Pro-Se, and Respectfully requests, Pursuant to Fed.R.Civ.P. 6(b), an Order Extending the time to respond to the Magistrate Judges Report and Recommendation Until Time Specified by Judge.

THIS MOTION IS MADE ON THE GROUNDS THAT:

1. Plaintiff received the Magistrate Judge's report and Recommendation on October 3, 2006, where said order was Dated 9/28/06.
2. The Defendants Attorney, Craig E. Maravich, Presented an Order at the September 21st., Hearing inwhich the Plaintiff has gotten a Copy of, that was needed to file the Objections.
3. Plaintiff will also be Requesting a copy of the two Phone hearing Transcripts, inorder to glean the specific objections, from the Record which has again been requested from the clerk of Court.
4. This Extension is Sought at the Earliest possible time, and the Plaintiff already requested an previous extensions, where all of his prior filings with the court have been made in a timely manner.

5. Because the New Deadline is November 2, 2006, the extra time is needed to obtain the Hearing Transcripts from the clerk of Court and Court Reporter (if transcribed), which are essential to the preparation of the Objections.

6. Also, Plaintiff who is representing himself on a Pro-Se basis, is allowed access to the prison law library only three times per week, (with a one week prior request) this short timelimitation would prevent him from completing the necessary legal research required to properly review the new case law the magistrate Judge used to make the Determinations, (enclosed in the Transcripts) and to respond.

7. The Good Cause shown for the Second Request is for the proper administration of Justice, and not for Dilatory purposes.

RESPECTFULLY SUBMITTED;

DATED: OCTOBER 20, 2006.

Cassius M. Clay Sr.

CASSIUS M. CLAY SR.,

Institution #DQ5954

P.O. BOX 945

Marienville, PA 16239

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AFFIDAVIT

I, CASSIUS M. CLAY SR., Declare;

That, I am the Plaintiff in the above Captioned Matter, and state that everything printed in the Petition/Motion is TRUE, and CORRECT to the best of my Knowledge, and Ability.

I Further Declare, that Under the Penalty of Perjury, (28 U.S.A. §1746) that the Foregoing is True and Correct.

EXECUTED THIS: October 20th, 2006.

Cassius M. Clay Sr.

CASSIUS M. CLAY SR.

Institution #DQ5954

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ORDER GRANTING EXTENSION OF TIME
TO FILE OBJECTIONS

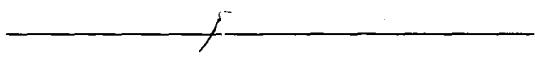
On October 20, 2006, Plaintiff CASSIUS M. CLAY SR., moved to extend the time to file his Objections to the Magistrate Judge's Report and Recommendation, until _____ Day of _____ 2006. Good cause has been shown for the Extension, and therefore,

IT IS ORDERED that:

1. The Motion is **GRANTED**;

2. Plaintiff CASSIUS M. CLAY SR., Shall have Until _____ P.M., on _____ day of _____, 2006 to prepare his Objections to the Magistrate Judge's Report and Recommendation.

DATED: _____, 2006.


[U.S. Magistrate Judge]

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Civil Action No. 05-125E

Plaintiff,

vs.

District Judge McLaughlin

TRACEY REEVES, ET AL,

Magistrate Judge Baxter

Defendants,

NOTICE OF MOTION FOR

EXTENSION OF TIME TO FILE OBJECTIONS

TO THE DEFENDANTS AND THEIR ATTORNEY OF RECORD:

You are hereby notified that on the 20th day of October 2006, the Plaintiff, CASSIUS M. CLAY SR., Petitioned the Western District Court for a Motion to Extend the time for the Filing of his Objections, to the Magistrate Judge's Report and Recommendation, Dated September 28, 2006. Plaintiff will move the Court to Grant an Extension of time to Respond to the Motion, After he receives the answer from the Clerk of Court, from the request for Transcripts used to make the Determination, inwhich he has not Received as of Yet. (FAMILY DIVISION COURT ORDER).

This Motion is based on All papers filed and Recorded in this action, and on any other evidence received at the hearing.

DATED: OCTOBER 20, 2006.

OCT 26 2006

Cassius M. Clay Sr.
CASSIUS M. CLAY SR. DQ5954
P.O. BOX 945
Marienville, PA 16239

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CASSIUS M. CLAY SR.,	Civil Action No. 05-125E
Plaintiff,	
Vs.	District Judge McLaughlin
TRACEY REEVES, ET AL.,	Magistrate Judge Baxter
Defendants,	

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, Under the Penalty of Perjury (28 U.S.C.A §1746), that a True and Correct Copy of the Foregoing Instrument(s) have been Mailed Postage Prepaid, on this 20 day of OCTOBER, 2006, to; U.S. DISTRICT COURT, for the Western District of PA P.O. Box 1820, Erie PA 16105, by Depositing the same in the Prison Mail Box at S.C.I. Forest.

DATED: OCTOBER 20th, 2006

Cassius M. Clay Sr.

CASSIUS M. CLAY SR., DQ5954

P.O. BOX 945

Marienville, PA 16239

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FOR THE WESTERN DISTRICT OF PENNSYLVANIA

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Plaintiff,

Vs.

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TRACEY REEVES, ET AL.,

Magistrate Judge Baxter

Defendants,

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, Under the Penalty of Perjury (28 U.S.C.A. §1746), that a True and Correct Copy of the Foregoing Instrument(s) have been Mailed Postage Prepaid, on this 20th Day of OCTOBER, 2006, to CRAIG E. MARAVICH, Assistant Attorney General, Manor Complex 564 Forbs Ave., Pittsburgh, PA 15219-2908, by Depositing the same in the Institutional Mail Box at S.C.I. Forest.

DATED: OCTOBER 20th, 2006.

Cassius M. Clay Sr.

CASSIUS M. CLAY SR., DQ5954
P.O. BOX 945
Marienville, PA 16239